

**From:** Diane Cunningham  
**To:** Microsoft ATR  
**Date:** 1/17/02 5:32pm  
**Subject:** This case must be settled

The Microsoft case has dragged on for far too long. The reason for the protracted prosecution of Microsoft is that other companies and individuals who have found it difficult or who have failed to compete successfully in a highly competitive marketplace insist on depicting their failures as the result for egregious acts by Microsoft. The Justice Department should consider the source of some of these complaints before punishing those who succeed in the free enterprise system. The Justice Department should consider the message that it is sending to the American public, the business community and to our youth when they consider the punishment that will be issued against Microsoft. The message should be exclusively about monopoly. It should not be about issuing rewards to those who not only were not damaged by Microsoft but who would not exist if it were not for Microsoft. It should be about assuaging the ailing egos of those who could not keep the pace and it should not be about delivering revenue into the hands of those who have not earned it, have not been damaged and who do not deserve to receive such benefits.

Microsoft - whether the Dept. of Justice likes it or not - has done more to initiate and carry on the technology revolution than has any other company or sector of this country. Let us be done with this witch hunt and proceed with that revolution. The Justice Department has issued strict guidelines for the future business transactions of Microsoft. That combined with the anticipated penalties should be sufficient. The Justice Department should put an end to this trial; stop supporting an untold number of attorneys - the only true benefactors of all of this; and tell the nine states to go home and balance their budgets without the aid of Microsoft.

The greatest benefactors of Microsoft and its work have been the American people. Microsoft has opened a new world, created innumerable new jobs and enhanced the lives of the American public. The Department of Justice is supposed to act for the benefit of the American public in cases such as this. Not on behalf of a select group of wealthy private interest groups. Perhaps it is time for the Department of Justice to remember their marching orders. If the American people were truly polled, this would have been over long ago.